

Montana Transportation Commission

October 19, 2007 Meeting

MDT Commission Room
Helena, MT

IN ATTENDANCE

Nancy Espy, Transportation Commissioner, Vice Chairman
Kevin Howlett, Transportation Commissioner
Rick Griffith, Transportation Commissioner
Jim Lynch, MDT Director
Jim Currie, MDT Deputy Director
Loran Frazier, MDT Engineering
Tim Reardon, MDT Chief Counsel
Duane Kailey, MDT
Mick Johnson, MDT
Sandra Straehl, MDT Rail, Transit & Planning
Duane Williams, MDT
Kevin McLaury, FHWA
Mike Duman, FHWA
Charity Watt Levis, MDT
Lori Ryan, MDT
Jim Walther, MDT Pre-Construction Engineer
Roche Juneau, Administration
Dave Jensen, MDT
Anne Pichette, Governor's Office
Dick Turner, MDT
Larry Murolo, MDT Facilities Manager
John Blacker, MDT Maintenance
Larry Flynn, MDT Administration

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OPENING – Commissioner Nancy Espy, Acting Chair

Commissioner Espy called the meeting to order. After the pledge of allegiance, Commissioner Howlett offered the invocation. Introductions were made.

TCP Approval

Director Lynch asked the Commission to approve the 2008-2012 Construction Season TCP. Commissioner Howlett said he would like to see work commence on a project in District One for the pedestrian crosswalk in Pablo.

Commissioner Griffith moved to adopt the TCP as presented, including that work would commence on the pedestrian crosswalk in Pablo. Commissioner Howlett seconded the motion. All three Commissioners voted aye.

The motion passed unanimously.

Approval of Minutes of the September 10, 2007 Conference Call and the October 5, 2007 Conference Call.

Commissioner Espy presented the minutes from the September 10, 2007 Conference Call and the October 5, 2007 Conference Call. There were no additions, deletions, or changes made to the minutes.

Commissioner Howlett moved to approve the minutes of the September 20th and October 5th Conference calls. Commissioner Griffith seconded the motion. All three Commissioners voted aye.

The motion passed unanimously.

Agenda Item 1: Montana Rest Area Plan Update.

Discussion: Deputy Director Currie said the Commission had talked a lot in the past about the process for rest area. Last year the Commission modified or eliminated the edict that MDT build one rest area per year because of funding issues, therefore, I want you to be aware of what is currently being done with rest areas in the State of Montana. Seven rest areas moved outside the planning horizon and three have estimated letting dates of 2011. It is unlikely we will be letting all three in 2011. These reset areas have wide variances in terms of the average daily use. MDT feels the money ought to go toward the greatest use and that is Bearmouth. Currently no location has been agreed upon for that rest area, i.e., whether it will be left where it is or moved to Jens or elsewhere. That rest area has the highest ADT of the ones being presented. My purpose is to let you know that we are not going to build one per year and that we have three scheduled for the same year and it is not likely we are going to do that. Bearmouth is highly speculative at this point because we don't have a location for it. Director Lynch said he hopes they can rebuild the existing Bearmouth rest area stating that would be the best solution and help move that project along quicker. Loran Frazier noted that about 400 vehicles per hour visit that rest stop in the summer time.

Commissioner Howlett felt Homestake was a much better location but there was an environmental issue with that location. Director Lynch said historically Montana built rest areas as cheap as possible without giving much attention to the septic system which caused a lot of Montana's rest areas to have problems. He noted that rest areas will be much more expensive in the future because they need to be open 24 hours per day, 12 months out of the year, and need to be designed in a way that handles the traffic effectively. Unfortunately because of the high use sometimes the rest areas are not as clean as they should be. It is a tough job to maintain and keep those rest areas clean. Commissioner Espy asked if they had noticed an improvement in the rest areas that were built closer to towns. Director Lynch said the Bozeman rest area is close to town and is clean even with heavy use.

Director Lynch noted there are 53 rest areas in the state and if you start in 2011 and build one per year, it takes these nine out to 2020 and there are others that will have to be pulled in, i.e., Grey Cliffs. It gets to be a big issue on a global scale. With limited funding available we need to be looking at where they are needed the most. Commissioner Espy said the maintenance of the existing rest areas is important and felt they were being kept up very well. Director Lynch said MDT has provided some of the old sites to truckers with bulk toilets but those are not considered rest areas. He noted that some of the rest areas are owned, operated, and maintained by cities.

Sandy Straehl introduced Dick Turner who presented the following Montana Rest Area Plan Update.

Background

In response to a recommendation from a Performance Audit of MDT's Rest Area Program by the Legislative Audit Division, MDT has developed an annual review process that

involves MDT staff and the Montana Transportation Commission in proposing and approving amendments to the Rest Area Plan that was initially adopted by the Transportation Commission in 1999. The primary focus is proposed changes to the planning map that reflects changes in development or maintenance status.

The 1999 Montana Rest Area Plan established an overall policy direction to guide the Department regarding Montana's rest areas. Since adoption, resulting changes in the quality and maintenance of our rest areas, as well as public reaction, have been overwhelmingly positive.

Although Montana's rest areas have improved over the last seven years, funding limitations especially related to highway construction cost increases have forced the delay of several planned rest area projects. MDT continues to work on the planned rest area projects and will construct them as funding is available and other priorities allow. As projects develop, the plan may become out of date. Consequently, the Transportation Commission is briefed

Summary

Attached is the current planning map from the Montana Rest Area Plan along with a list of proposed planning map changes based on input from District Administrators and other MDT staff involved in rest area planning and maintenance. The proposed changes are consistent with the policies the Transportation Commission established in the 1999 plan update. Also attached is a copy of the annual Rest Area Status Report that provides detailed information about all MDT rest areas.

Staff recommendations

There are no staff recommendations; this agenda item is for informational purposes.

Discussion:

History: It used to be that the standard was very poorly designed, poorly maintained rest areas and they were a long way apart (referring to slide). This slide shows a sign that says "closed for repairs, next rest stop 240 miles." That was typical of the rest areas in Montana and the public let us know that they did not like the situation with Montana's rest areas. Someone compared our rest areas with third world stops; not very favorable. As a result of this in the late 90's the department and the Commission decided to take a new look at our rest area program and came up with the 1999 Rest Area Plan. For the first time this plan set policies on the spacing, location, abandoned rest areas, and maintenance standards. Montana State University helped us do a survey of users to see what they would like. We also had an Advisory Committee as well as public input. The most visible change was that the Plan committed MDT to institutionalize rest area design. The six rest areas built since 2000 are dramatically different in appearance and quality than the earlier rest areas. From the comments we receive, the public loves the new rest areas. So we think we are getting it right with the newer style rest areas. We have several different designs depending on the location and wishes of the community. He showed a slide of the Mosby Rest Area and noted it was very nice and not overly fancy and fits into the terrain nicely.

Maintenance: We have also done some things in the maintenance areas, i.e., the caretaker contracts have been totally rewritten and strengthened. The new designs are much more maintenance friendly. The stainless steel design allows the caretakers to spend the time necessary to clean the rest rooms without having people nervously waiting to use the rest room. We have also improved the visitor information. The display designs are coordinated with the Travel Montana designs which are a much higher quality and include a lot of good information and we installed some electronic kiosks in a couple of locations.

In the past because of budget cuts we did not routinely keep rest areas open during the winter, however, Director Lynch changed that philosophy. As of two years ago if the buildings are capable of being open in the winter we keep them open during the winter. That is no small commitment, i.e., Lookout Pass during the winter is pretty extreme (showing slide), but the rest areas are very important to the traveling public whether it is summer or winter. Lolo Pass on the Idaho line is also a very popular

stop. The fact that the rest areas were closed in the winter was one of the complaints we received. Director Lynch stated that the Lookout Pass rest area had a mechanical breakdown in the septic system and it was proposed that we close the rest area until it was repaired. We decided not to close it; instead we brought in port-a-potties until the building could be used. Then the snow collapsed the top of the port-a-potty roofs, so we decided to put maintenance people up there to shovel the snow off the roofs. I think that shows our commitment to keeping these rest areas open 24 hours a day even under mechanical problems. It took quite a bit of effort by the maintenance crews to do that and I commend them for that.

Performance Audit: In 2003 the Legislative Auditor did a performance audit of the Rest Area Plan which was generally positive. If it had been done five years earlier it would not have been as positive. One recommendation was to implement a regular program of reprocess and we have done that. We continue to make significant changes to the Rest Area Plan and planning map. Some of the recommendations we incorporated into the Rest Area Plan in 2004.

Annually we update our Rest Area Status Report which not only includes the status of all of the existing rest areas, but there is also a section devoted to abandoned rest area sites and explains what we are doing with those sites. In most cases on the interstate we keep those areas open primarily for truckers that struggle with finding places to rest when they've exceeded their hours.

This is the rest area planning map (showing slide). This is a visual tool we use and reflects the policy established in the Rest Area Plan. This is our primary tool we use in the review process to see if there are any necessary changes that need to be made and if there are then we bring those suggested changes to the Commission. This year we have not identified the need for any major changes to the Planning Map. However, next year as a result of a rest area corridor plan we are doing on I-94 between Billings and Miles City, we do expect to have some recommended changes. There are some definite needs along that corridor. Miles City has expressed an interest in cooperating with the department in putting a rest area near Miles City similar to the rest area in Bozeman. The current rest areas are in pretty poor condition and there are some spacing issues along there also. We are doing that study this coming year and it will include public involvement and look at some environmental issues. We expect to come back to the Commission next year with some changes and recommendations along that corridor.

This year as a result of our review process we identified some editing changes to the map that are not substantial we will take care of them. The first two related to Bearmouth and Jens. Initially we thought we had a willing landowner at Jens but that situation has changed so next month we will talk about other options. We are going to hold off on that change until that issue is resolved.

Director Lynch noted that the community of Saco has expressed interest in cooperating with the department for a rest area. Sandy Straehl added that the rest areas are not only for the convenience of the public but also for safety. If you drive I-90 at 5:30-6:00 a.m. you will see a lot of commercial vehicles just parked there because they had reached the limit of hours they could operate. You can easily see eight to ten vehicles in every rest area in Montana. So it is a safety issue as well as for the convenience of the traveling public.

The Lolo and Lost Trail Rest areas are actually joint rest areas with the State of Idaho and the Forest Service. We partnered with them to help build those rest areas. Regarding the 800 cars per day at Bearmouth, actually the busiest the rest area we have in the State is now Bozeman which is over 10,000 ADT per day. Some people object the fancy rest areas, but it is very important for everyone to understand that 20-30 percent of the cost of a rest area is the building only. Our rest areas are costing between four and six million dollars. Our program spends about \$35 million on rest

areas. That takes money away from certain other parts of the program but from a safety aspect they are very much needed.

The City Park Rest Area was originally a 10-year agreement with each of the communities. I'm not sure the communities fully understood the cost associated with running one of these rest areas. MDT has done an audit to see what repair needs these areas have and has seeded a grant back to these communities for those repairs, i.e., paint, plumbing, and upgrades so they can continue to perform and be an integral part of the whole rest area program around the state. We are still involved in the City Park Rest Area. The program was initiated in the early 90's and ultimately we have funded 13 completed rest areas around the state. The program is 100% state funded and is not for rest areas on the interstate system. It is a way for the department to fulfill some critical rest area needs at a relatively low cost. We provided up to \$100,000 per location for the construction of a new facility or the improvement of an existing community-owned facility. They committed to maintain and keep it open as a rest area for 10 years.

In some of our closed areas we installed vaulted toilets because of the need for safety stops for truckers. These are not considered rest areas but rather safety rest stops. We never put the vaulted type toilets into the abandoned areas as a replacement for a rest area. But again short of closing them which didn't make sense because they are so widely used, we provided a little bit better amenity than just the ground or the bushes. Commissioner Espy mentioned they had decided to put up a sign to designate it as a "truckers rest". Director Lynch said they have a different sign that says "parking area". Commissioner Espy noted the program had made great strides and the Commission is very proud of it.

Agenda Item 2: Enhancement Program and Safe Routes to Schools Projects on MDT Right-of-Way

Sandra Straehl presented the following to the Commission.

Background

The Commission approves Community Transportation Enhancement Program (CTEP) projects that are located on/or adjacent to state designated streets and roads. Two of the following projects are funded with the enhancement set-aside of the Surface Transportation Program that is allocated by population to Montana's local and tribal governments. The communities select projects for funding with their allocations and provide required non-federal match. The program is based on an agreement between MDT and Montana local and tribal governments.

In addition, two Safe Routes to Schools (SRTS) projects and one combined SRTS/CTEP project that are on/or adjacent to state designated streets and roads are being presented to the Commission for approval. The SRTS program is intended for activities that improve the ability of students to walk and bicycle to school including sidewalk improvements, bicyclist and pedestrian facilities, speed reduction efforts and improvements to crossings. Montana communities are encouraged to use SRTS funds to supplement CTEP infrastructure projects within two miles of a school serving K-8th grade. These SRTS projects are being administered by the CTEP program. Only SRTS projects that are on/or adjacent to state designated streets and roads need Transportation Commission approval.

The projects proposed for addition to the program are described below.

CTEP Projects on/or Adjacent to Designated Roads or Highways

Willow Creek Path – Corvallis, Ravalli County – This enhancement project will design and construct approximately 1000 linear feet of concrete path, ADA crossings and two pedestrian bridges in Corvallis along 3rd Street (S-373). Specifically, the

project will extend the bike path along the south side of 3rd Street (S-373) from Main Street to the intersection with the Eastside Highway (S-269). East of the intersection, pedestrian pathways will be constructed on both sides of 3rd Street (S-373) also known as Willow Creek Road, to approximately Tefft Street. The pathways proposed on both sides of the road would include separated pedestrian crossings over the Corvallis Canal. Improvements to be made from approximate R.P. 1.953 – 2.194 on 3rd Street (S-373).

The project will connect with two previous CTEP funded projects. Taken together these projects will enhance pedestrian/bicycle safety and access to a local elementary school in the vicinity of the intersection of S-269 and S-373.

The estimated total cost of the project is \$230,784 consisting of \$35,504 for preliminary engineering, \$17,757 for construction engineering and \$177,523 for construction. Ravalli County CTEP allocation and local match will be the funding sources for this project. Including this project, Ravalli County will have obligated \$1,531,983 of the \$2,114,387 made available over the life of the CTEP program.

West Grove Sidewalk – Absarokee, Stillwater County – This enhancement project will design and construct approximately 655 linear feet of 5' wide concrete sidewalk with curb and gutter. The sidewalk location will be on the northeast side of West Grove Street (S-420) between North Woodward Ave and Henry Street in the City of Absarokee. Improvements to be made from approximate R.P. 0.00 – 0.123 on West Grove Street (S-420). The sidewalk will provide a safe route for pedestrians on West Grove Street (S-420) walking to the Absarokee Community swimming pool. This route is a high traffic area in the town of Absarokee and the absence of a sidewalk poses a hazardous situation by forcing pedestrians to walk in the street.

The estimated total cost of the project is \$127,584 consisting of \$16,500 for preliminary engineering, \$17,174 for construction engineering and \$93,910 for construction. Stillwater County's CTEP allocation and local match will be the funding sources for this project. Including this project, Stillwater County will have obligated \$480,164 of the \$542,099 made available over the life of the CTEP program.

Safe Routes to School Projects-Administered by CTEP – On/or Adjacent to Designated Roads or Highways

Safe Routes Crossings – Missoula – This enhancement project will use Safe Routes to Schools (SRTS) funds in the amount of \$50,512 for the construction phase for improved street crossings at five school locations in Missoula. Additional funding will be provided for other project phases by the City of Missoula. Three of the locations are on-system and require commission approval. The on-system improvements include:

On-System:

- 1) Paxson School - bulb-outs, signage and striping to cross Higgins Avenue (U-8117) at two intersections: Evans Avenue and Hastings Avenue. Improvements to be made from approximate R.P. .527-.602.
- 2) Lewis & Clark School - median refuge island and curb ramps to cross Higgins Avenue (U-8117), at the intersection with Agnes Avenue. Improvements to be made from approximate R.P. 1.418 – 1.422.
- 3) Lewis & Clark School - bulb-outs and curb ramps to cross South Avenue (U-8120) at the intersection with Park Street. Improvements to be made from approximate R.P. 3.73 – 3.738.

The SRTS portion of the project is estimated at \$50,512 for construction costs. Additional funding will be provided for other project phases by the City of Missoula.

LaSalle Road Crossing – Evergreen - Kalispell – This enhancement project will use SRTS funds to re-configure the location of the school chain link fencing at the southwest corner of the intersection of West Evergreen Drive (U-6710) and LaSalle Road (P-1). The improvements to be made are at approximate R.P. 123.592 - 123.594. Because of the way the chain link fencing is constructed at this corner of the intersection, students from East Evergreen Elementary and Evergreen Junior High School stack up at the southwest corner of the intersection waiting for the traffic signal and crossing guard to allow them to cross. The fencing will be re-configured so that it is located farther away from the southwest corner of the intersection. The project will provide more room for students waiting to cross the intersection by increasing the distance between the roadway and the area where the students wait for the light to change.

The estimated total cost of the project using SRTS funds is \$50,000 consisting of \$5,000 for preliminary engineering, \$10,000 for construction engineering and \$35,000 for construction.

School Sidewalks – Belgrade – This enhancement project will use a combination of SRTS funds (\$50,000) and CTEP enhancement funds to design and construct approximately 8500 linear feet of 5' wide concrete sidewalks interconnecting existing sidewalks and adding new connections to neighborhoods to four schools in the Belgrade area. The improvements will include sidewalks at six locations:

- 1) Belgrade Intermediate/Middle Schools - east side of Jackrabbit Lane (U-606) between Mayfair Drive and Southview Avenue. Improvements to be made from approximate R.P. 1.148 -1.378.
- 2) Belgrade Intermediate/Middle Schools - west side of Spooner Road (U-608) between Mayfair and Triple Crown. Improvements to be made from approximate R.P. 331-.685.
- 3) Belgrade Intermediate/Middle Schools - west side of Grogan Street (U-608) between Main Street and Park Avenue. Improvements to be made from approximate R.P. 0.00 -.155.
- 4) Quaw and Heck Elementary schools - south side of Allison Avenue between Weaver Street and Broadway (U-603). Improvements to be made from approximate R.P. .764-.852.
- 5) Quaw and Heck Elementary schools - both sides of Broadway Street (U-603) between Southview and Allison Avenues and,
- 6) Quaw and Heck Elementary schools - south side of Southview Avenue between Weaver and Broadway Streets (U-603).

The estimated total cost of the project using SRTS and enhancement funds is \$319,400 consisting of \$22,450 for preliminary engineering, \$22,450 for construction engineering and \$274,500 for construction which includes the \$50,000 SRTS grant. Including this project, the City of Belgrade will have obligated \$342,417 of the \$352,379 made available over the life of the CTEP program.

Summary

This agenda item is for two on-system enhancement projects being proposed for commission approval using CTEP allocations to the respective local governments. Also included are two SRTS projects and one combined SRTS/CTEP project that include sites that are adjacent to/or on-system and require commission approval.

These projects will be developed in accordance with all federal and state requirements.

1. The *Willow Creek Road Path* project will construct pedestrian/bicycle paths and pedestrian bridges in Corvallis. The project will extend the bike path along the south side of 3rd Street (S-373) from Main Street to the intersection with the Eastside Highway (S-269). East of the intersection, pedestrian pathways will be constructed on both sides of 3rd Street (S-373) to approximately Tefft Street. The estimated total project costs are \$230,784.
2. The *West Grove Sidewalk - Absarokee* project will construct sidewalks on the northeast side of West Grove Street (S-420) between North Woodward Ave and Henry Street in the City of Absarokee. The estimated total project costs are \$127,584.
3. The *Safe Routes Crossings- Missoula* project is a SRTS project that has three on-system locations requiring commission approval. The project will provide improved street crossing at various locations near Missoula schools. The SRTS portion of the project is estimated at \$50,512 for construction costs, with additional funding provided by the City of Missoula for other project phases.
4. The *LaSalle Road Crossing – Evergreen* project is an on-system SRTS that will reconfigure the location of the school chain link fencing at the southwest corner of the intersection of West Evergreen Drive (U-6710) and LaSalle Road (P-1). This project will provide more room for students waiting to cross the intersection by increasing the distance between the roadway and the area where the students wait for the light to change. The total project costs are estimated at \$50,000 and will use SRTS funds.
5. The *School Sidewalks-Belgrade* project will combine CTEP and SRTS funds to improve street crossings with sidewalks at various locations near Belgrade schools. The total estimated project costs are \$319,400, which include \$50,000 of SRTS funds.

Staff Recommendation

Staff recommends that the commission approve the addition of these projects to the program.

Discussion

Commissioner Howlett said he was pleased with the cooperative nature of this program. This Commission is happy to do anything to support children and their safe passage to school. Commissioner Espy noted this was a particularly excellent program and stated the schools in her district were excited about the program.

Director Lynch gave some background on the Safe Route to School Program. He said the bill came with a lot of administrative responsibilities for states and very little funding. There was a tremendous push-back from states across the U.S. because of the administrative requirements. Montana was not one of those states. Montana looked at this program as something that was very positive and implemented the administrative requirements. We regret there isn't more money behind the program because there is a tremendous need across the state. We are hoping our actions will make it all the way to Washington D.C. in the re-authorization process because this is a good program.

Commissioner Howlett moved to approve the Enhancement Program and Safe Routes to Schools Project on MDT Right-of-Way. Commissioner Griffith seconded the motion. All three Commissioners voted aye.

The motion passed unanimously.

Agenda Item 3: Wetland Mitigation – Deschamps Ranch Wetland Mitigation Study

Sandra Straehl presented the following to the Commission.

Background

It is important for MDT to pursue wetland projects ahead of roadway projects. If the mitigation is not in place at the time of project construction, the ratio for mitigation increases. There are a number of other criteria that affect mitigation ratios, but having mitigation in place prior to impact will be required in almost all cases. By mitigating wetland sites in advance, it allows the department to bank wetland mitigation credits that can be used cost effectively on future projects.

This project is to conduct a wetland feasibility study for the purpose of developing wetland mitigation on a 36-acre portion of the Deschamps Ranch located approximately 3 miles west/northwest of the city of Missoula, just south of the Missoula Airport within Missoula County.

MDT personnel have identified a potential wetland restoration area within the central portion of the Deschamps Ranch. The proposed restoration area, which is approximately 36 acres, is located near a man-made impoundment and has several associated wetlands that have been ditched and drained to promote agriculture. Additionally, a pond was constructed in the area for fishing and waterfowl habitat.

This feasibility study will assess the potential for the development of wetland mitigation on the Deschamps property situated within Watershed #3 – Lower Clark Fork Basin to replace the Amon Ranch and Teller Refuge projects which were dropped from further consideration as a result of initial evaluations. This project will be utilized to mitigate impacts associated with a number of past and future MDT projects including: Bull Lake South (UPN 1397) 3.93 acres; Conner N&S (UPN 1281) 6.0 acres; Florence East (UPN 4854) 1.0 acres; Blue Slide Road (UPN 2976) 0.55 acres. In addition, it will serve as a reserve for future Missoula District projects impacting this watershed.

Environmental Services proposes to hire a consultant to conduct a wetland feasibility study to determine site suitability on the Deschamps Ranch for MDT. The cost to perform the feasibility study is estimated at \$74,085 including \$57,247 for the consultant's efforts and \$16,838 for preliminary engineering work done by MDT staff, which includes environmental, legal and right-of-way work. STP funds are the proposed source for the study.

Summary

MDT staff proposes a wetland feasibility study be conducted to assess a 36-acre portion of the Deschamps Ranch located within Watershed #3-Lower Clark Fork Basin for the purpose of developing wetland mitigation for past and future MDT projects. The total estimated costs of the feasibility study are \$74,085 to hire a consultant and for preliminary engineering work by MDT staff.

Staff recommendations

Staff recommends the Commission approve the addition of this project to the program.

Commissioner Griffith moved to approve the Deschamps Ranch Wetland Study. Commissioner Howlett seconded the motion. All three Commissioners voted aye.

The motion passed unanimously.

Agenda Item 4: Secondary Roads Construction Program, Slide Condition – Secondary Highway 308

Sandy Straehl pointed out there was a similar project in a different district recently where there was a slide condition on a secondary road and the local governments had a hard time stepping up and putting that project into the program because it would threaten their priorities. In this particular case with the Billings District, it was not the case. The local governments took the action, prioritized the project, and put it into the program because there was a threat to the on-going obligation to secondary highways. This project will correct a slide condition on Secondary Highway 308 four miles west of Bear Creek. Sandy Straehl presented the following information to the Commission:

Background

MDT staff requests commission approval for preliminary engineering and construction to correct a slide on Secondary 308, at approximately reference point 3.0 west of Bearcreek. This highway provides access from Red Lodge east to Bearcreek, Belfry, Bridger and Fromberg.

Billings Maintenance Division identified the slide on Secondary 308. A prior attempt to stabilize the slide condition was not successful. Information from a preliminary study of the area suggests the probable permanent solution is to relocate the roadway out of the slide area.

The highway is maintained by MDT and is not Carbon County's priority for the Secondary Roads Capital Construction Program. However, the Billings District Counties voted in the affirmative to include this project in the Secondary Roads Capital Construction Program.

The total estimated project costs are \$1,571,500 consisting of \$101,025 for preliminary engineering, \$123,475 for construction engineering, \$1,234,750 for construction, and \$112,250 for right of way. The project costs include \$171,500 of indirect costs.

Summary

MDT staff is requesting approval of \$1,571,500 in Secondary Road Construction (STPS) funds to address a slide condition on Secondary 308.

Staff recommendations

Staff recommends the Commission approve the addition of this project to the program.

Commissioner Griffith moved to approve the Secondary Roads Construction Program, Slide Condition Secondary Highway 308. Commissioner Howlett seconded the Motion. All three commissioners voted aye.

The motion passed unanimous.

Agenda Item 15: Public Comment

Dennis Bishop – Baker, MT

Dennis Bishop addressed the Commission as follows: I don't know the process for searching for funding for Hwy 323 and Hwy 7. Hwy 323 is very dangerous. I drive it once a week from Alzada to Ekalaka and the 25 miles in the center is terrible. I know some money has been appropriated for that and we are grateful for that but it only covers 10 miles. I am formally requesting some additional funding to finish this road. When it is raining there is no way an ambulance could get out to some of those

ranches because it is just gumbo. I've been off the road as much as on the road and it is really a dangerous situation. It is one that you need to take a look at.

Hwy 7 is terrible; if you get distracted or take your eyes off the road for one second you are going to be in serious trouble. I know southeast Montana can be off the map at times and I would like to put it on the map and see if we can get some funding and possibly some attention to it.

Director Lynch there had been several earmarks on that project. He said they were a little bit disappointed because they went through a special process this year where the Commission approved a special bid letting. The project was redesigned and broken in half to spend the available earmark. We awarded it and the contractor never started the work. MDT is being a proactive as we can to spend what money we've received through SAFTEALU. We don't receive it all at once, we receive one fifth of it and we are using that rather than waiting for the whole project to come in. Because it was a House earmark, it can only be used against other House earmarks.

Unfortunately for that particular roadway we only receive one fifth of the money and that is all the money we can use. We put out a special bid and we will continue to do that as the money becomes available. We were very hopeful the contractor would start this summer but he didn't. He has assured us he will be on it early next year and is hauling gravel to the site now. It is a tough location and a tough funding process. He assured the Commission that MDT would do everything they can to keep the funding flowing to that roadway as quickly as they can.

Commissioner Howlett asked about the liquidated damages. Director Lynch said that under the current schedule this project will no doubt have liquidated damages.

Deputy Director Currie said they would likely see the highest amount of liquidated damages ever seen – over \$100,000. The contractor is concerned about that but not enough to get the work done.

Commissioner Howlett asked if the issue several years ago with the out-of-state contractor had been resolved. Director Lynch said that had been resolved.

Commissioner Espy said the interest on Hwy 323 has been very sincere and noted it was hard to get the money for a secondary road to get paved. We appreciate you coming and letting the Commission know how you feel about it.

Dennis Bishop said he was representing the six county commissioners from that area. They get hit pretty hard on that issue. It is a really dangerous situation and the ambulance response is nearly impossible if something should happen. Commissioner Espy said the Commission has been through this with the County Commissioners and will continue to work with them because they are anxious to see that road paved. She invited him to get on the Agenda if he had more information to share with us. The department is doing all it can do with the money available for secondary roads.

Ed Tinsley – Lewis and Clark County

Ed Tinsley addressed the Commission. He thanked the Commission for all the work done in Lewis and Clark County and said the South Interchange was getting close to opening. There have been some issues with people using the exit even though it isn't finished. Everybody has a road they are concerned with and to prove that one of our more esteemed residents and a member of the Fortune 500 met with me a few weeks ago to ask if I would address a road he was concerned with. Custer is still very high on our priority list. He thanked the Commission all the work they were doing.

Commissioner Griffith asked if could explain to the Commission what was going on with the Custer project. Ed Tinsley said he would defer to Director Lynch because he knew more about that project. Director Lynch said they were moving right along on that project and are all the way through preliminary design. We've solicited the Federal Act Team and appropriated money for right-of-way and are actively

purchasing right-of-way but not for construction. We've already started the design. The environmental piece is all done and we are through preliminary engineering on the design. We've solicited help from Federal Highways to look at our project to find ways we can do it quicker, better, different, or look at something we haven't considered. When we get that information we will incorporate that into the project. Commissioner Griffith said he was more interested in the funding scenario and asked what funds they were using. He noted they were so far out with the impact funding with the South Interchange and commitments to Belgrade – we are out to 2012 now, and asked how the timing and program money fit with needing more money. Director Lynch said they were going to need federal participation; we are looking for federal earmarks to help build this interchange. We have interstate funding that can be used but we are along way from funding but that is not stopping us from moving forward and buying right-of-way. Commissioner Griffith asked if they were going to need interstate congestion and capacity in addition to the earmarks. Director Lynch said that was correct. Commissioner Griffith asked what happens next. Director Lynch said as soon as they receive the total funding package, they would start to build. He said the funding package is under MDT; it is not a county project, it is a state highway project.

Ed Tinsley said the county intends to travel to Washington D.C. to meet with the congressional delegation as often as necessary. Senator Baucus' home county is Lewis and Clark County so he hears from us all the time. This is not a bridge to nowhere that is difficult to lobby for; we can make a very good case for why we need this earmark. This is a very legitimate project and we intend on working closely with MDT on this. MDT staff is tremendous and they don't hesitate to call us or return our calls and that is a testament to Jim Lynch and his leadership team. Director Lynch said they had put together a team on this project which gets together on a milestone basis as we accomplish certain items on this project. We are all hearing the same thing at the same time and we all understand what the future problems are going to be. It has been very effective. Deputy Director Currie said they had secured agreement on one of the more difficult pieces of property on the project. Commissioner Griffith asked if the developers had brought anything to the table. Director Lynch said unfortunately they had not but Lewis and Clark County and the City of Helena have. The governmental agencies have participated in this project but on this particular interchange the developers have not. Power Townsend has been a very cooperative player in this project also.

Agenda Item 5: Speed Zone, US 191–Gallatin Canyon Milepost 48-70

Loran Frazier addressed the Commission. He said this item was a modified speed limit recommendation on US 191 in Gallatin Canyon from milepost 48 to milepost 70. At the last Commission meeting there was a speed limit recommendation which Gallatin County did not concur with; they wanted to keep it at 60 mph. We told the Commission we would look at it again. If you look at the speeds in the canyon and the 85th percentile and the pace, there is not a clear cut recommendation for a speed limit. What you have before you is a recommendation for keeping the 50 mph speed limit on the south end of the project at milepost 47.3 continuing north about one mile. There has been some activity in that location plus last year we constructed a signal at the intersection of Hwy 191 and Hwy 64, therefore, we recommend the current speed limit of 55 mph be reduced to 50 mph through that section. We recommend leaving the current speed limit of 60 mph the same through the rest of the canyon.

Commissioner Griffith asked if the only place they were changing the speed is outside the canyon. Loran said yes at the southern end starting at the Big Sky intersection going south about one mile. We are recommending leaving the northern end through the canyon the same. Commissioner Griffith asked if they were only

changing the speed limit at Big Sky. Loran said yes. Commissioner Griffith asked if the Commissioners were opposed to that change. Loran said they recommended leaving it the same.

Commissioner Griffith said they drove that area at 50 mph all the way up the canyon. It was 9:30 a.m. and we did not have any traffic behind us. He felt the construction vehicles through the canyon were creating speed problems. He asked if you could put a speed limit on the trucks. Director Lynch said that would create more aggressive driving. He said they did an in-depth study of accidents in the canyon and the accidents are not on weekends or during the day time ski season; they are actually during commuter times and are very locally oriented. The fatalities recently have been new people to the community working in the Big Sky area. If you look at the accidents in that particular corridor, they are happening to people who drive the road every day during commuter times. Commissioner Griffith said he felt the trucks seemed to be speeding more than cars. If there is one single issue, the trucks are it. Maybe we should have a camera that would take a picture and issue a ticket. Director Lynch said that would take legislative action. He said they had put speed trailers in there and have even paid for a highway patrol officer to work that area. They wrote as many citations the first day as the last day; they wrote over 200 citations in a six day period of time. So law enforcement presence did not help lower the speed limit.

We are really on the cusp for changing the speed limit one way or the other. We don't want to set a speed limit on that roadway that creates a speed differential. Seventy percent of the people are driving 56 mph and yet we have a speed limit of 60 mph. Commissioner Griffith felt they were getting traffic that is pushing the envelope going down the hill. Director Lynch said they thought the same thing but when they actually studied it, it was the opposite. Seventy percent of the traffic traveling southbound is driving between 43 and 54 mph; northbound they are pushing about three miles per hour faster. So what we perceive and what is actually happening out there is different. We even did truck counts to see the increase in traffic and found there was a phenomenal increase in the amount of car traffic and not as big of an increase in truck traffic in this particular corridor over the last four years. So the impact driving some of the problems is not the trucks it is the cars.

Commissioner Griffith said he did not disagree but felt we were getting the differential in the opposite way. He felt they ought to adopt this policy but continue to look to see if somehow trucks are doing something different than the average vehicle. Director Lynch said they could do that. He noted speed is a factor and controlling the speed isn't necessarily going to be controlled by a speed limit; there needs to be support from the Gallatin County Sheriff's Department as well as the Montana Highway Patrol to make this road safer. We've committed to get some additional dollars to get them down there. Commissioner Griffith asked whether law enforcement agreed with lowering the speed limit. Director Lynch said the Sheriff feels it is very hard for them to pull anyone over. The Highway Patrol said it was also very hard to pull anyone over however they were more than willing to go down there with concentrated patrols. They have found the places and opportunities to pull people over. They have also expressed a concern that pulling people over can create a hazard.

Loran said that in the terrain Gallatin Canyon itself is going to limit some of the speeds. There are curves that cannot be driven at 60 mph but there are advisory speed limits signs all the way down. He also pointed out the table showing the speeds from 2006, 2005, and 1999 and said there was not much difference in any of them. Commissioner Griffith said as you go further up the canyon the Park Service has it posted at 55 mph through the Park. Director Lynch said the Park Service actually lowered the speed limit and there has not been any difference in the accidents. He said he'd driven that road a lot and 60 mph is a stretch to do. Commissioner Griffith said they drove it at 50 mph and it was a comfortable speed.

Commissioner Howlett said if they took the time and resources to put a signal in there, then people ought to be slowing down for that signal. He asked if that was what the department was recommending. Director Lynch said yes. The Gallatin County Commissioners are insisting that it not be changed but you can see from the speed study that the traffic on this roadway is starting to slow down. Commissioner Griffith said the east shore of Flathead Lake is 50 mph and is the preferred route around the lake. There will never be enough resources on that road to make major improvements because of its location much like the east shore of Flathead Lake. So common sense and a reasonable speed is a good combination in protecting the public safety. He thought this was a fair recommendation.

Commissioner Griffith moved to approve the speed zone for US 191 – Gallatin Canyon Milepost 48-70. Commissioner Howlett seconded the motion. All three commissioners voted aye.

The motion passed unanimous.

Agenda Item 6: Speed Zone, US 2 – Culbertson East

Loran Frazier said this recommendation was to change a portion to 35 mph extending the 45 mph speed limit and placing a 55 mph out to the museum. It is our recommendation and it is also the District Administrator's recommendation. We have a letter from the Town of Culbertson and also from the Culbertson Museum. The Town of Culbertson has given us partial concurrence. They recommend the 55 mph speed limit be extended further (referring to map). We do not concur with that. We were not able to get concurrence regarding the 55 mph – they would like it to be extended out one increment but they've not been able to define "one increment." They concur with the 45 mph.

MDT recommends the 45 mph speed limit beginning at station 994+50, project FAP 84(20) and continuing east to station 1007+50, (150' east of the weigh station access), an approximate distance of 1,300 feet. A 55 mph speed limit beginning at station 1007+50, project FAP 84(20) and continuing east to station 1020+00 (100' east of the museum access), an approximate distance of 1,250 feet.

Commissioner Griffith said they want to slow it down to 55 mph because of oil trucks and other things, he asked about the volume of traffic. Loran Frazier said the volume is 2,140 per day. Commissioner Griffith asked if the request was a safety issue or a convenience issue. Director Lynch felt extending the 55 mph was not a bad idea. Loran Frazier said from a traffic perspective when you get past the museum there is no development on either side; it is wide open with two approaches by the plant. The speed study shows that when you get past the museum it looks like wide open highway and they are traveling as such and accelerating through that area.

Commissioner Howlett moved to approve the Speed Zone, US 2 – Culbertson East with the addition of the Town of Culbertson's recommended extension of 55 mph just east of the processing plant. Commissioner Griffith seconded the motion. All three commissioners voted aye.

The motion passed unanimous.

Agenda Item 7: Speed Zone, US 2 – LaSalle Road, Kalispell

Loran Frazier said this is a speed zone request on US 2 in Kalispell. This particular recommendation is for a 55 mph speed limit beginning at station 107+50, FAS 7(6) (1,000 feet north of the intersection with Reserve Drive) and continuing north to

station 174+00, project STPP 1-2(42), an approximate distance of 1.25 miles. We have a letter of concurrence from the Flathead County Commissioners.

Commissioner Griffith moved to approve the Speed Zone recommendation for US 2 – LaSalle Road, Kalispell. Commissioner Howlett seconded the motion. All three Commissioners voted aye.

The motion passed unanimous.

Agenda Item 8: Speed Zone Recommendation for US 93 – Kalispell South to MT 82, US 93 Kalispell North to MT 40.

Loran Frazier stated with the statutory speed limit on US 93 changing from 65 mph to 70 mph, there was a request by Flathead County to retain the 65 mph speed limit. After meeting with Flathead County officials the Missoula District office has submitted the following interim speed limit recommendations for US 93.

Kalispell North

A 65 mph speed limit beginning at station 171+00, project F 270(7) (1,300 feet north of the intersection with Reserve Drive) and continuing north to station 660+00, project F 270 (9) (400' south of the intersection with MT 40), an approximate distance of 8.9 miles.

Kalispell South

A 65 mph speed limit beginning at station 2432+00 project F 191 (11) (500' south of the intersection with Willow Glenn Dr.) and continuing south to station 21+60 (metric) project NH 5-3(65) (1,400' north of the intersection with MT 82), an approximate distance of 5.25 miles.

The above recommendations were presented to Flathead County Commissioners. We expect their written concurrence to be forthcoming shortly.

Commissioner Howlett moved to approve the Speed zone recommendation for US 93 – Kalispell South to MT 82, US 93 Kalispell North to MT 40. Commissioner Griffith seconded the motion. All three Commissioners voted aye.

The motion passed unanimous.

Agenda Item 9: Letting Lists

Loran Frazier presented the proposed letting list for the months of November and December 2007. The letting lists for January and February 2008 are being developed through the tentative construction program and will be presented at the next meeting. The staff recommends the approval of the letting list.

Commissioner Griffith moved to accept the letting lists. Commissioner Howlett seconded the motion. All three Commissioners voted aye.

Motion passed unanimous.

Agenda Item 10: Certificates of Completion, July and August 2007

Loran Frazier presented the Certificates of Completion for the months of July and August 2007. For the month of July there is about \$10 million worth of projects that we finalized out to the Certificate of Completion; August was about \$10.7 million. The

final costs of the projects for these two months were within \$50,000 out of \$10 million on the original contract for the month of August and the final project costs for August were about \$90,000 less than the original contract. The staff recommends approval.

Commissioner Howlett moved to approve staff recommendations for the July and August 2007 Certificates of Completion. Commissioner Griffith seconded the motion. All three Commissioners voted aye.

Motion passed unanimous.

Agenda Item 11: Change Orders

Loran Frazier presented the change order for the months of July and August 2007 as follows:

<i>Month</i>	<i>Total</i>
July 2007	\$413,038.84
August 2007	\$941,050.79
Total	\$1,354,089.63

Staff recommends you approve the Change Orders for the months of July and August 2007. He noted there were no significant changes out of the ordinary. The one large change for the month of August was the final settlement for Hwy 323 – that was the project where the contract was terminated.

Commissioner Howlett moved to approve the July and August Certificates of Completion. Commissioner Griffith seconded the motion. All three commissioners voted aye.

Motion passed unanimous.

Agenda Item 12: Liquidated Damages IM 94-7 (24)240 MCS Facility West of Wibaux.

Loran Frazier said this project was over-run by 19 days. Staff recommends letting the liquidated damages of \$25,726.00 stand. Two letters were sent to the contractor and there has been no response. Commissioner Griffith said that with the exception of Hwy 323, it looks like there is a concerted effort not to have big change orders; it seems they are notably down. You deserve some credit for that and it is something the Commission likes to see. Loran Frazier said there has been an effort to get a good set of plans in place which reduces the number of change orders. I appreciate those comments and will pass them on to the staff members that have been working on it. No action from the Commission was needed.

Agenda Item 13: Bid Award – US 93 and 82 Signal

Loran Frazier said this item was a bid award for the US 93 and US 82 signal project. There was a special bidding session for that project because we want to get the signal up this fall. We opened bids yesterday morning and I'll be requesting federal concurrence today. This project had two bidders – Montana Lines Inc. and Pavlic Electric Company. The low bid was \$437,796.76. Our engineer's estimate was \$413,569.00. They are within guidelines for award. We also reviewed their bid and have no issues with it and we recommend award. Federal Highways said they concurred with the bid.

Commissioner Griffith moved to approve the staff recommendation for award of the US 93 and 82 Signal. Commissioner Howlett seconded the motion. All three commissioners voted aye.

Motion passed unanimous.

Agenda Item 14. Commission Discussion

National Partnership for Highway Quality Award

Director Lynch said there were some very significant awards to present on the Beartooth Highways. This project has received many awards. There will be two presentations: (1) one that MDT will award for work done on the Beartooth reconstruction; and (2) Kevin McLaury, FHWA, will present an award to the department and contractors on the Beartooth project. He presented the Commission with the following background information on the Beartooth project.

On May 20, 2005, there was a major slide on the Beartooth Highway. An enormous amount of water left the top of the Beartooth Highway in a short period of time and caused five major slides that took out 12 sections of the Beartooth Highway. It is a very significant highway because two communities, Red Lodge and Cooke City, depend on this highway for their livelihood.

On May 12, 2005, Governor Brian Schweitzer was the first one on the scene and flew the project. He called me very early that morning and said Director Lynch you've got a problem. He assured me he would do everything he could to help the Department of Transportation get the highway back open; and he did just that.

On May 13, 2005 our photo unit was sent up to take pictures of the highway to see what we had.

On May 23, 2005, I saw the aerial photos for the first time. I was hoping what I was seeing on the photographs were shadows but they were not. We mobilized engineers and geotech people that morning and proceeded to the Beartooth Highway. When we flew that highway I realized we had a very serious problem on our hands. We quickly started to put together a plan to analyze what had happened. We had no access to this particular highway and were concerned with the safety of the people who had to get into those slide areas to determine the extent of the damage. We spent a long time that day talking and working out a plan so we could put a team up on that mountain that would return safely, and we did that.

On May 27, 2005, we determined we could get a contractor up there immediately to start clearing some debris in preparation for a major contract to follow. JTL out of Billings Montana was very eager to help us – they had other work at the time. This wasn't planned and they jumped to the assistance of the State of Montana and the residents of Red Lodge and Cooke City to do that. They were already on site helping to remove material.

On May 28, 2005 the Governor declared it an emergency area. That allowed this area to receive emergency funding. Emergency funding takes a long time to get through Congress and we could not wait until the money came in, we needed to start building immediately and it was going to be a very expensive project – around \$12 million to complete.

On May 31, 2005, Senator Baucus showed up on site; we took him up and explained what was going on. He made a phone call to Secretary Brunetta from the little community of Red Lodge telling him we had a problem in Montana and needed his

assistance. Secretary Brunetta assured him Montana would get his assistance. At that same time the National Park Service and Central Federal Lands had a reserved \$12 million earmark for repairs on the Beartooth Highway. They offered their assistance and that earmarked \$12 million to the Department of Transportation to get that project started with full anticipation we would get emergency funding that would pay back that earmark.

After we looked at the project and realized what we had, the Department of Transportation sat down and came up with a very aggressive schedule. This roadway was so significant to the two communities of Red Lodge and Cooke City who were struggling anyway that we realized it could not take three years to reconstruct, in fact it couldn't take two years to reconstruct; it had to be done in one season. We talked a lot about how that was going to happen given the 11,000 foot elevation and a very narrow construction period. However we felt optimistic it could be done. We went to the Red Lodge community and assured them they would not be removed from the loop from beginning to end. I remember seeing all those people in the gymnasium and announcing to them that we would rebuild the highway and have it opened on October 15, 2005. The majority of the people didn't think they heard that right – they thought for sure I meant 2009.

The Department of Transportation aggressively put together a design-build program. We put it out to bid and several contractors expressed interest. June 13th was the deadline for submitting bids to reconstruct the highway and we received only one bid. So we had to trust the contractor who submitted the bid; we had to trust that all the agencies would work together; and we had to trust that we could get this project built in this short period of time. We made the recommendation to award the largest emergency project in Montana's state history in a very significant location in a terrain where we had not done a lot of work. I have to commend the Commission for trusting the Department of Transportation and our engineers that stood behind the recommendation to award that project. The project was awarded to Kewitt Western who teamed up with HKM Engineering and JTL Construction out of Billings and they went to work immediately.

I look back to the time I told the community the department was committed to deliver this project by October 15th and we actually delivered it by October 7th. We also delivered it almost \$4 million under budget which was a tremendous feat. We couldn't have done that without the cooperation of all the federal agencies. Custer National Forest needs to be commended for their involvement in that process as well as Federal Highways, the Corp of Engineers, and the Montana Department of Environmental Quality

The construction side of it played a very major role in that. They put together a tremendous team; they worked very closely with MDT and all the federal agencies to make sure we were all going in the same direction – to repair this roadway once and not have to come back and do it again. Not only did we repair the slides, we also provided some relief in case it happened again so we would not sustain the amount of damage it had sustained. We have to commend the contractor and his team that got the job done.

This project has been nominated for a lot of awards and MDT actually recommended this particular award. When we made the announcement in June to the Red Lodge Community, the Billings Gazette ran a poll that said over 80% of the people didn't believe that project could get built in October of that year. However, the majority of them were more than willing to be proved wrong. The effort that took place in that short three and a half months was well received by all those people who were so skeptical.

Federal Highways. The first award goes to Federal Highways. Kevin McLaury of Federal Highways received the award. Director Lynch commended Mike Duman and

Jan Brown who helped keep this project on line. On behalf of the National Partnership for Highway Quality and the Department of Transportation I would like to present the bronze plaque and certificate to the Federal Highway Administration.

Kevin McLaury said he was not here when the slide occurred but had researched this and had seen the possibilities when people come together during an emergency. He said Federal Highways has one of the best staffs of any office across the United States; the staff in Montana is second to none and they've shown that here.

Custer National Forest. The next award goes to Custer National Forest. On behalf of the National Partnership for Highway Quality and the Department of Transportation we appreciate what you did for us on this project. There is no way we would have built that project without the cooperation of the Custer National Forest. Thank you.

A Custer National Forest representative thanked MDT and noted MDT put together a plan with a defined objective and time frame and pulled together a great team to get the job done. I was the project liaison for the Forest Service on the project, and I would like to highlight that the project was done in recognition of the important resource values along the road corridor. Thank you.

Landslide Technologies. The next award goes to Landslide Technologies. Thank you for your cooperation. Landslide Technologies was one of the first companies we called when this happened because we had never experienced this before to this magnitude. We needed some advice and some advice fast. They were eager to help us and were one of the first on the scene within days after the slide took place. The advice and the technical assistance they gave us was very much appreciated. We wanted to nominate them for this award and we are very happy the National Partnership also recognized their commitment.

Landslide Technologies thanked the department for the award. We have always appreciated MDT's professional attitude and it is really nice when a national organization like the National Partnership for Highway Quality recognizes that too. I am happy to receive this award and look forward to the next one.

Kewitt Western. The next award goes to Kewitt Western. Kewitt Western was in the audience in Red Lodge in June and was wondering what we were going to say and do. It was so encouraging when they came up to us after the meeting and said they were anxiously looking forward to the bid packet and understood the importance of the project and would work hard to put together a bid. We are so thankful they did because it was the only bid we received. I don't know what we would have done if they had not put in the bid. We really had to trust each other. There was a lot on the line on this particular project. The most notable thing about repairing the Beartooth Highway, from the time the slide first happened to the time when the gate opened, was there no injuries on that particular project. When you consider the man hours and the time, seven days a week 24 hours per day, construction traffic going on, working in very tight quarters, working on top of each other, you really have to commend Kewitt and their organization in putting together a plan that not only got that highway opened, but they did it in a way that kept their employees and others safe. We really appreciate the coordination and the work you did and the effort you put forth to make sure the people on that project were safe. On behalf of the National Partnership of Highway Quality and the Department of Transportation I present this award and certificate.

Kewitt Western thanked all the partners that worked together – HKM, JTL, and the Department of Transportation. It was great project and fun project, and when it was all said and done we all celebrated and were happy that it was over. I would like to thank all the entities for all their cooperation. Thank you very much.

HKM Engineering. The next award goes to HKM Engineering. I would like to commend HKM Engineering. Phil, you put something together in a big hurry. You opened up your office to Federal Highways and the Department of Transportation and proved we could all work together. We only had 60% of this project through the design process when we had to make changes. We had to trust that the 60% was correct, take it into the field and make decisions quickly that we could all agree on. That could not have happened without the expertise of HKM to begin with. They are a very worthy recipient of this award. We are glad that Kewitt had you on their team.

HKM Engineering said they were happy to be on the team. He said Karen Fagg, President of HKM, had every intent on being here, however, the weather did not cooperate with her plane trip. She extends her apologies and her heartfelt thanks for this award. I would like to extend our thanks and appreciation for being part of this fantastic team starting with Kewitt Western having the faith in us to do the engineering for them and to the department for having the faith in us to do the design work. It was a project that I'll always remember; a once-in-a-lifetime project. I'm amazed how smoothly it went and that started with Kewitt Western and program they sat up for this design-build process. Thank you for this award.

JTL Construction. Our last award goes to JTL Construction out of Billings. They really stepped up immediately when they received our phone call for help. We know they put projects aside to man a team and a work force to get the Beartooth Highway open. They've been well received in the Red Lodge community, in fact they participated in the 4th of July parade in Red Lodge and everyone stood as JTL's equipment came through. Not only did they do a tremendous amount of work on that highway but they made a public presence very positive for all of us in the way they handled that project. We are very much indebted to them. It is my pleasure to present this award to Kurt Hogan, JTL Construction.

Montana Department of Transportation. The Department of Transportation is a recipient of this award also and I feel it is a very valid award to give to the Department of Transportation. The Department of Transportation showed what they were made of and Jim Currie showed an awful lot of leadership through this entire process. We knew we had to put together a team that believed if everything went right this project would be completed in October and be able to assure the Red Lodge community that could happen. Also the leadership of Loran Frazier, our Chief Engineer, who had to oversee the project and work with the design-build team and other engineers to make sure we stayed focused on the objective. Thank you again for the Commission's support and getting the highway opened for the communities of Cooke City and Red Lodge.

Agenda Item 16: FHWA Awards – Excellence in Highway Design

Kevin McLaury, FHWA, addressed the Commission. I am quickly finding it is tough to follow Director Lynch. I find I have to revise my notes because he has covered everything I would like to say. I want to recognize some of the team with Federal Highways Bi-Annual Award of Excellence in Highway Design. It has eleven different categories that evaluate the elements that make design of certain projects unique and this was certainly a unique project. As I've mentioned before it is amazing what can be done in an emergency when the spirit of cooperation and commitment come together. Mother Nature rained down on this area with some heavy precipitation that caused the major slides in this area over a wide range of a nine mile area. The team Kewitt put together literally moved mountains to bring the project to completion under time and under budget, which in emergencies rarely occurs. My compliments to the team including MDT and the other state and federal agencies involved, they are really to be commended for the effort they put forth on this project. Without this

project the two communities of Cooke City and Red Lodge would have remained disconnected. Without this roadway it makes it tough for them to survive because summer is their big tourism time of the year.

Department of Transportation. Therefore I want to present an award to the Department of Transportation. Without strong leadership this project would not have been a success. Without a strong vision of what could be done, it was a challenge and when MDT is given a challenge they step up to do the job and do it well. For that I want to recognize the department with this plaque. Loran Frazier said there were over 130 people at MDT who all played a role in getting this project done. We've got a big team and they all did their part. Director Lynch thanked Federal Highways for the award.

HKM Engineering. This project had a lot of blasting involved and without HKM's foresight to see what could be done in a short period of time this project would not have been successful in reconnecting those communities to the roadway. HKM thanked Federal Highways and stated a big part of their team involved Shannon Wilson with several offices throughout the west. We also had some local consultants, Dan McGee out of Laurel and SK Geotechnical, who stepped up and helped out wherever they could. So within the technical community in Montana we received all kinds of help and are very appreciative of that. Thank you.

Kewitt Western. The leader of the team was Kewitt Western. They had the ability, trust, and the vision to be able to put together a true team, a cooperative team that had the spirit of what this project brought forth – getting it done and making it happen. Brett, without Kewitt Western's ability to do this project, this would not have been a success.

Commissioner Espy said this had been a most moving experience. This was a critical time in our history. Our gratitude to all of you could never be expressed. The Department provided viewing areas for the public to witness what was going on. That was particularly comforting to people to be able to see all the work taking place. I want to commend you particularly on safety. That is our number one goal – safety comes first. That is carried out throughout the entire state and is very important to us. Commissioner Espy said Director Lynch took the Commissioners up in a helicopter to see the project. It was a sight I will never ever forget and I'm so grateful for the experience because it was tremendous. We were kept informed through emailed pictures and calls through the whole process, but you can't recognize the magnitude of this slide until you see it. You are all to be commended for the tremendous job you did. Director Lynch said the Department of Natural Resources lent a lot of resources to the department including their helicopters. Without those helicopters we would not have been able to get our people onto that mountain. The Carbon County Sheriff played a very important role in this project also. They put a Sheriff at the gate on the highway to prevent people from driving through the slide area.

Agenda Item 17: Next Commission Meeting

The Commission scheduled the next Conference Call on November 9th, the regular Commission Meeting on December 6th, and a Conference Call on December 17th.

Commissioner Howlett commended the department and felt this week had been an exemplary process. He also acknowledged the new Director of Federal Highways Kevin McLaury and welcomed him to Montana.

Director Lynch said he wanted to commend the Transportation Commission in making such great strides in setting appropriate speed limits on Montana Highways

over the last two years. He noted Montana had 20 more fatalities on its highways than last year and said that was unacceptable. Speed and alcohol are factors and seat belts are a factor. Seat belts play a tremendous role in the safety of our motorists and we are just not using them. Montana has an 80% usage rate. When you look at the fatalities in Montana, 152 out of 260 fatalities were unbuckled. National statistics show that half of the 152 would have survived had they been buckled. Montana is a little different in that a majority of deaths occur when a person leaves the vehicle in an accident – 110 of our unbuckled fatalities were actually ejections. This Commission is doing a great thing in by taking an active role in looking at the speeds on our highways and trying to get them appropriately set so we can reduce those fatalities. The Department of Transportation is doing everything we can to convince people to buckle up – the biggest chance of survival in an accident on our highways is to use that seatbelt. It is very important to buckle up. 80% of our twelve billion miles driven in this State are driven on our state highways. That tells you that 80% of our people are driving in excess of 60 mph. When you have an accident at 60 mph there is only one device that can limit those injuries and save a life and that is the seatbelt. The average response time in the State of Montana to an accident is 115 minutes. That is well beyond the critical 30 minutes that it takes to get someone to a hospital. MDT is doing everything we can to work on the behavior of the driver to get them to drive appropriately. He thanked the Commission for their help and support in that effort.

Commissioner Espy felt the seat belt ads had been very effective and noted that she had received many positive comments on them. Director Lynch said in talking to emergency room personnel, way over 50% of the 110 that were ejected would be alive if they had used their seat belt.

Adjourned: Commissioner Espy adjourned the meeting.

Commissioner Espy, Acting Chair
Montana Transportation Commission

Jim Lynch, Director
Montana Department of Transportation

Lori K. Ryan, Secretary
Montana Transportation Commission